

Senate File 203

AN ACT
RELATING TO MENTAL HEALTH AND DISABILITY SERVICES REQUIREMENTS
INVOLVING THE DEPARTMENT OF HUMAN SERVICES AND INCLUDING
EFFECTIVE DATE AND RETROACTIVE APPLICABILITY PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I
MENTAL HEALTH AND DISABILITY SERVICES CLIENT IDENTIFIER
Section 1. Section 225C.6A, subsection 3, paragraph b, Code
2013, is amended to read as follows:
b. In implementing a system under this subsection for

collecting and analyzing state, county, and private contractor data, the department shall establish a client identifier for the individuals receiving services. ~~The client identifier shall be used in lieu of the individual's name or social security number. The client identifier shall consist of the last four digits of an individual's social security number, the first three letters of the individual's last name, the individual's date of birth, and the individual's gender in an order determined by the department.~~

DIVISION II

INTERAGENCY INFORMATION SERVICE ON PERSONS WITH MENTAL
DISABILITIES

Sec. 2. REPEAL. Section 218.11, Code 2013, is repealed.

Sec. 3. REPEAL. Chapter 220A, Code 2013, is repealed.

DIVISION III

SUBACUTE MENTAL HEALTH CARE FACILITIES

Sec. 4. Section 135G.3, subsections 1 and 2, Code 2013, are amended to read as follows:

1. A subacute care facility shall utilize a team of professionals to direct an organized program of diagnostic services, subacute mental health services, and rehabilitative services to meet the needs of residents in accordance with a treatment care plan developed for each resident under the supervision of a ~~licensed psychiatrist~~ mental health professional. The goal of a treatment care plan is to transition residents to a less restrictive environment, including a home-based community setting. Social and rehabilitative services shall also be provided under the direction of a mental health professional.

2. The ~~licensed psychiatrist~~ mental health professional providing supervision of the subacute care ~~facility~~ facility's treatment care plans shall evaluate the condition of each resident as medically necessary and shall be available to residents of the facility on an on-call basis at all other times. Additional evaluation and treatment may be provided by a mental health professional. The subacute care facility may employ a seclusion room meeting the conditions described in 42 C.F.R. § 483.364(b) with approval of ~~the~~ a licensed psychiatrist ~~of the facility~~ or by order of the resident's physician, a physician assistant, or an advanced registered nurse practitioner.

Sec. 5. Section 135G.4, subsection 2, Code 2013, is amended to read as follows:

2. An intermediate care facility for persons with mental illness licensed under chapter 135C may convert to a subacute care facility by ~~providing~~ submitting an application for a license in accordance with section 135G.5 accompanied by written notice to the department that the facility has employed a ~~full-time psychiatrist~~ mental health professional and desires to make the conversion. An intermediate care facility for persons with mental illness applying for a license under this subsection remains subject to subsection 1 until a license is issued.

Sec. 6. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 7. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to July 1, 2012.

DIVISION IV

COMMUNITY MENTAL HEALTH SERVICES BLOCK GRANT ALLOCATION

Sec. 8. 2011 Iowa Acts, chapter 126, section 20, subsection 1, paragraph d, is amended to read as follows:

d. Of the amount allocated to eligible services providers under paragraph "c", 70 percent shall be distributed to the state's accredited community mental health centers established or designated by counties in accordance with ~~law~~ chapter 230A or applicable administrative rule. ~~If a county has not established or designated a community mental health center and has received a waiver from the mental health and disability services commission, the mental health services provider designated by that county is~~ was designated as authorized in section 230A.107, subsection 2, the provider remains eligible to receive funding distributed pursuant to this paragraph ~~in lieu of~~ as a community mental health center. The funding distributed shall be used by recipients of the funding for the purpose of ~~developing and providing evidence-based practices and emergency~~ staff training or services to adults with a serious mental illness and children with a serious emotional disturbance. The distribution amounts shall be announced at the beginning of the federal fiscal year and distributed on a quarterly basis ~~according to the formulas used in previous fiscal years~~. Recipients shall submit quarterly reports containing data consistent with the performance measures approved by the federal substance abuse and mental health services administration.

Sec. 9. EFFECTIVE UPON ENACTMENT. This division of this

Act, being deemed of immediate importance, takes effect upon enactment.

PAM JOCHUM
President of the Senate

KRAIG PAULSEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 203, Eighty-fifth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved _____, 2013

TERRY E. BRANSTAD
Governor